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EXAMINER	
MURPHY, DILLON J	
ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,354

Applicant(s)

WILEY, JEFFREY G.

Examiner

Dillon J. Murphy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Tran

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

- This action is responsive to the amendment filed on September 27, 2005.
- Claims 1-25 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by
Czyszczewski et al. (US 6,577,907), hereafter referred to as Czyszczewski.

Regarding claim 18, Czyszczewski teaches a multifunction device (figure 1, #10) comprising computer-readable media operatively associated with said multifunction device and having computer-readable program code thereon including program code (figure 1, multifunction controller comprises CPU (figure 2, #80), RAM, (figure 2, #85) and ROM (figure 2, #90). ROM of figure 2 comprises a controller operating system #95 as well as a document processing pipeline #100) for identifying different types of network destinations to receive a document (col 6, ln 62-67, when new devices are added to the network, a global database is updated, identifying available network destinations on the network), program code for automatically determining format for said

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document (Czyszczewski, col 8, ln 61-64, automatic formatting for printer, depending on property of network destination. ASCII data is automatically formatted into PostScript if the destination specified is a printer), program code for formatting said document for each of said different types of network destinations (col 7, ln 12-19, one scanning operation is required to allow a user to send a document to each of the different types of network devices including local printers, network printers, fax machines, or e-mail addresses. Formatting occurs once to process document for each destination, col 7, ln 48-54), and program code for sending said formatted document from said multifunction device to each of said different types of network destinations (col 7, ln 19-22, document is sent to selected network destinations), wherein said document is imaged only once for delivery to each of said different types of network destinations.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-7, 11-14, and 18-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Czyszczewski et al. (US 6,577,907) and Quine (US 6782415), hereafter referred to as Czyszczewski and Quine.

Regarding claim 1, Czyszczewski teaches a document delivery method comprising: identifying different types of network destinations for receiving a document

(col 6, ln 62-67, when new devices are added to the network, a global database is updated, identifying available network destinations on the network); formatting said document for each of said different types of network destinations without re-imaging said document (col 7, ln 12-19, one scanning operation allows a user to send a document to different types of network devices including local printers, network printers, fax machines, or e-mail addresses. Formatting occurs to process document for each destination, col 7, ln 48-54); and sending said formatted document to each of said different types of network destinations from a multifunction device (col 7, ln 19-22, document is sent to selected network destinations). Czyszczewski does not teach a method of receiving a document based on a preferred mode of receipt by the recipient. Quine, however, teaches a method for document delivery comprising receiving a document based on a preferred mode of receipt by the recipient (Quine, col 4, ln 47-67, wherein delivery preferences are stored for each user and documents are delivered according to recipient preferences).

Czyszczewski and Quine are combinable because they are from a similar field of endeavor of document delivery systems and method. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the document delivery method of Quine comprising identifying network destinations based on a preferred mode of receipt by the recipient with the document delivery method of Czyszczewski comprising identifying, formatting, and sending a document to a recipient. The motivation for doing so would have been to improve delivery speed, accuracy, and effectiveness of the document delivery (Quine, col 7, ln 65-67, col 8, ln 1-14), as well as

to provide an improved architecture and user interface for a multifunction device, (Czyszczewski, col 1, ln 34-36). Therefore, it would have been obvious to combine Quine with Czyszczewski to obtain the invention as specified in claim 1.

Regarding claim 2, which depends from claim 1, the combination of Czyszczewski and Quine teaches a method wherein sending said formatted document to each of said different types of network destinations is via serial transmission (col 5, ln 64-67 and col 6, ln 1-2, output devices are connected via LAN, which is by definition a serial transmission network, wherein formatted documents are sent over the LAN).

Regarding claim 3, which depends from claim 1, the combination of Czyszczewski and Quine teaches a method further comprising converting said document to electronic format, wherein said electronic document is formatted and sent (col 26-32, documents can be held in memory of controller until a print request is issued, for example. Controller comprises RAM (col 6, ln 8-15), therefore, document must be in electronic format to be stored).

Regarding claim 4, which depends from claim 1, the combination of Czyszczewski and Quine teaches a method wherein identifying said different types of network destinations is based at least in part on a user selection (col 7, ln 16-17, user selects a destination or destinations for a document).

Regarding claim 5, which depends from claim 1, the combination of Czyszczewski and Quine teaches a method wherein identifying said different types of network destinations is based at least in part on a user-sorted type of network destination (Czyszczewski, col 11, ln 18-27, when identifying a particular destination,

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user may limit identification by entering name of recipient to limit available network destinations. See also Czyszczewski, col 11, ln 33-45, wherein the user is not limited to sending a job to either a facsimile destination or electronic mail destination, but may choose a plurality of destinations for a document. Also see Quine, col 2, ln 59-65, wherein a user may sort destinations by desired parameters, e.g. location or job description).

Regarding claim 6, which depends from claim 1, the combination of Czyszczewski and Quine teaches a method wherein formatting said document is automatically determined based at least in part on a property of the different types of network destinations (Czyszczewski, col 8, ln 61-64, automatic formatting for printer, depending on property of network destination. ASCII data is automatically formatted into PostScript if the destination specified is a printer. Also see Quine, col 4, ln 60-67, wherein method further comprises delivering document to a recipient in a preferred format, wherein documents must be automatically formatted into preferred format).

Regarding claim 7, which depends from claim 1, the combination of Czyszczewski and Quine teaches a method wherein formatting said document is based at least in part on a property of the document (col 8, ln 40-67 and col 9, ln 1-12, example formatting includes steps A-G. Step 'B,' used when operating in an image quality mode, may be bypassed when a document does not include high-quality images):

Regarding claim 11, the combination of Czyszczewski and Quine teaches a document delivery method comprising:

Converting a printed document to an electronic document only once with a multifunction device (Czyszczewski, figure 1, multifunction device #10 comprises scanner #20 which scans in documents. In col 26-32, documents can be held in memory of controller until a print request is issued, for example. Controller comprises RAM (col 6, ln 8-15), therefore, document must be in electronic format to be stored);

Identifying preferred network destinations for each of a plurality of recipients to receive said electronic document (Czyszczewski, col 6, ln 62-67, when new devices are added to the network, a global database is updated, identifying available network destinations on the network. Plurality of recipients is taught in col 7, ln 19-25 of Czyszczewski. See also Quine, col 4, ln 47-67, wherein network destinations are identified and stored for each user and documents are delivered according to recipient preferences);

Formatting said document for different types of said preferred network destinations (Czyszczewski, col 7, ln 12-19, one scanning operation allows a user to send a document to different types of network devices including local printers, network printers, fax machines, or e-mail addresses. Formatting occurs to process document for each destination, col 7, ln 48-54. Preferred network devices are taught by Quine as explained above); and

Sending said formatted electronic document from said multifunction device to each of said plurality of recipients (Czyszczewski, col 7, ln 19-22, document is sent to selected network destinations).

Regarding claim 12, which depends from claim 11, the combination of Czyszczewski and Quine teaches a method wherein sending said formatted document to each of said different types of network destinations is via serial transmission (col 5, ln 64-67 and col 6, ln 1-2, output devices are connected via LAN, which is by definition a serial transmission network, wherein formatted documents are sent over the LAN).

Regarding claim 13, which depends from claim 11, the combination of Czyszczewski and Quine teaches a method wherein identifying said different types of network destinations is based at least in part on a user-identified limitation (Czyszczewski, col 11, ln 18-27, when identifying a particular destination, user may limit identification by entering name of recipient to limit available network destinations. See also Czyszczewski, col 11, ln 33-45, wherein the user is not limited to sending a job to either a facsimile destination or electronic mail destination, but may choose a plurality of destinations for a document. Also see Quine, col 2, ln 59-65, wherein a user may sort destinations by desired parameters, e.g. location or job description).

Regarding claim 14, which depends from claim 11, the combination of Czyszczewski and Quine teaches a method wherein formatting said electronic document is based at least in part on the type of said network destination (Czyszczewski, col 8, ln 61-64, automatic formatting for printer, depending on property of network destination. ASCII data is automatically formatted into PostScript if the destination specified is a printer. Also see Quine, col 4, ln 60-67, wherein method further comprises delivering document to a recipient in a preferred format, wherein documents must be automatically formatted into preferred format).

Regarding claim 19, which depends from claim 18, the combination of Czyszczewski and Quine teaches a multifunction device further comprising an interface for receiving at least one user selection (col 6, ln 18-20, touch screen provides the Graphical User Interface (GUI) to the user of the multifunction device), wherein said program code for identifying said different types of network destinations bases said identification at least in part on said at least one user selection (col 7, ln 16-17, user selects a destination or destinations for a document) and at least in part on a recipient preference for receiving said document (Quine, col 4, ln 47-67, wherein delivery preferences are stored for each user and destinations are identified and documents are delivered according to recipient preferences).

Regarding claim 20, which depends from claim 19, the combination of Czyszczewski and Quine teaches a multifunction device wherein said computer-readable program code comprises program code for sorting said different types of network destinations based on said at least one user selection (Czyszczewski, col 11, ln 18-27, when identifying a particular destination, user may limit identification by entering name of recipient to limit available network destinations. See also Czyszczewski, col 11, ln 33-45, wherein the user is not limited to sending a job to either a facsimile destination or electronic mail destination, but may choose a plurality of destinations for a document. Also see Quine, col 2, ln 59-65, wherein a user may sort destinations by desired parameters, e.g. location or job description)

Regarding claim 21, which depends from claim 18, the combination of Czyszczewski and Quine teaches a multifunction device further comprising a computer-

readable address book for identifying said different types of preferred network destinations (Czyszczewski, col 11, ln 66-67 and col 12 ln 1-23, user may browse through address book to identify fax numbers, e-mail addresses, phone numbers, and the like of, a network destination. See also Quine, col 4, ln 47-67, wherein delivery preferences are stored for each user and destinations are identified and documents are delivered according to recipient preferences).

Regarding claim 22, which depends from claim 18, the combination of Czyszczewski and Quine teaches a multifunction device wherein said computer-readable program code comprises program code for configuring a property of said document for each of said different types of network destinations (col 8, ln 5-7, drivers for formatting document are adapted for different network destinations, also col 8, ln 12-15, instead of Postscript formatting for a printer, document may be converted into a PDF which is sent as e-mail).

Regarding claim 23, which depends from claim 18, the combination of Czyszczewski and Quine teaches a multifunction device further comprising program code for converting said document to electronic format (col 26-32, documents can be held in memory of controller until a print request is issued, for example. Controller comprises RAM (col 6, ln 8-15), therefore, document must be in electronic format to be stored).

Claims 8-10,15-17, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Czyszczewski et al. (US 6,577,907), Quine (US 6782415), and

Daniels, Jr. et al. (US 6343327), hereafter referred to as Czyszczewski, Quine, and Daniels.

Regarding claim 8, which depends from claim 1, the combination of Czyszczewski and Quine teaches a document delivery method comprising identifying different types of network destinations based on preferred mode of receipt by the recipient, formatting a document for different types of network destinations without re-imaging said document, and sending said formatted document to each of the different network destinations, as explained in the rejection of claim 1 above. The combination of Czyszczewski and Quine does not disclose expressly a method further comprising resending said document to a next preferred network destination for the same recipient upon a predetermined condition being satisfied. Daniels, however, discloses a method of resending said document to a next preferred network destination for the same recipient upon a predetermined condition being satisfied (Daniels, col 7, ln 17-21, wherein document is resent to a next preferred network destination for the same recipient. A resending predetermined condition is shown in col 7, ln 9-15 of Daniels).

Czyszczewski, Quine, and Daniels are combinable because they are from the same field of endeavor of document delivery methods. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of resending to a next preferred network destination for the same recipient based upon a predetermined condition method of Daniels with the identifying, formatting, and sending method of the combination of Czyszczewski and Quine. The motivation for doing so would have been to improve delivery speed, accuracy, and effectiveness of the

document delivery (Quine, col 7, ln 65-67, col 8, ln 1-14). Therefore, it would have been obvious to combine Daniels with the aforementioned combination of Czyszczewski and Quine to obtain the invention as specified in claim 8.

Regarding claim 9, which depends from claim 8, the combination of Czyszczewski, Quine, and Daniels further teaches a method wherein said predetermined condition is satisfied when said document is undeliverable to said at least one of said different types of network destinations (Daniels, col 7, ln 9-16, wherein predetermined condition is notification or realization of a delivery failure. See also Daniels, col 2, ln 20-23, showing that a predetermined condition is a notification or realization of a delivery failure).

Regarding claim 10, which depends from claim 8, the combination of Czyszczewski, Quine, and Daniels further teaches a method wherein resending said document is according to a user-selected cycle function (Daniels, col 7, ln 17-21, wherein resending is according to a user-selected cycle function, i.e. resending occurs in accordance with preferred delivery destinations selected by user when inputting preferences. See also col 6, ln 65-67, and col 7, ln 1-4, wherein delivery information is specified in a data file, with options specified and selected previously by user).

Regarding claim 15, which depends from claim 11, the combination of Czyszczewski, Quine, and Daniels further teaches a method further comprising resending said electronic document to the same recipient at another preferred network destination upon a predetermined condition being satisfied (Daniels, col 7, ln 17-21,

wherein document is resent to a next preferred network destination for the same recipient. A resending predetermined condition is shown in col 7, ln 9-15 of Daniels).

Regarding claim 16, which depends from claim 15, the combination of Czyszczewski, Quine, and Daniels further teaches a method further comprising satisfying said predetermined condition when said electronic document is undeliverable to said at least one of said different types of network destinations (Daniels, col 7, ln 9-16, wherein predetermined condition is notification or realization of a delivery failure. See also Daniels, col 2, ln 20-23, showing that a predetermined condition is a notification or realization of a delivery failure).

Regarding claim 17, which depends from claim 15, the combination of Czyszczewski, Quine, and Daniels further teaches a method wherein resending said electronic document is in response to a user-selected cycle function (Daniels, col 7, ln 17-21, wherein resending is according to a user-selected cycle function, i.e. resending occurs in accordance with preferred delivery destinations selected by user when inputting preferences. See also col 6, ln 65-67, and col 7, ln 1-4, wherein delivery information is specified in a data file, with options specified and selected previously by user).

Regarding claim 24, which depends from claim 18, the combination of Czyszczewski, Quine, and Daniels further teaches a multifunction device wherein said computer-readable program code comprises program code for resending said document to a same recipient at an alternate network destination upon a predetermined condition being satisfied (Daniels, col 7, ln 17-21, wherein document is resent to a next

preferred network destination for the same recipient. A resending predetermined condition is shown in col 7, ln 9-15 of Daniels).

Regarding claim 25, which depends from claim 18, the combination of Czyszczewski, Quine, and Daniels further teaches a multifunction device wherein said predetermined condition is satisfied when said document is undeliverable to said at least one of said different types of network destinations (Daniels, col 7, ln 9-16, wherein predetermined condition is notification or realization of a delivery failure. See also Daniels, col 2, ln 20-23, showing that a predetermined condition is a notification or realization of a delivery failure).

Response to Arguments

Applicant's arguments, see page 9, ln 3-6, and page 13, ln 4-7, filed September 27, 2005, with respect to the rejection(s) of claim(s) 1, 8, 11, 20, and 21 under 102(e) have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the specification of Quine.

Applicant's arguments filed September 27, 2005, with respect to claim 5 and similar claims have been fully considered but they are not persuasive. Applicant argues that the Czyszczewski teaches against the amended claim because the user is required to select between faxing or emailing the document to the recipient (page 10, ln 3-5). However, in Czyszczewski, col 11, ln 33-45, it is disclosed that a plurality of job network destinations and recipients may be specified as destinations for a document delivery.

Applicant's arguments filed September 27, 2005, with respect to claim 6 and similar claims have been fully considered but they are not persuasive. Applicant argues that the formatting in the Czyszczewski reference depends on input from the user. However, in col 8, ln 61-63 of Czyszczewski, it shows incoming data is converted into PostScript data, depending only on the property of the network destination.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dillon J. Murphy whose telephone number is (571) 272-5945. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free):

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